

**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA.**

FAO No. 21 of 1999.

Judgement reserved on:

Date of decision : April 20, 2006.

Smt. Prem Kumari and ors.	 Appellants.
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Vs.

M/s Binwa Transport Co-operative Society and anr.	 Respondents.
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Coram

The Hon'ble Mr. Justice Surjit Singh, Judge.

Whether approved for reporting?

For the appellant: Mr. Ramakant Sharma, Advocate.

For the respondent: Mr. K.D.Sood, Advocate, for respondent
No. 2.

Surjit Singh, J. (Oral).

This appeal is by the mother and the brothers of a man aged 24 years, who died in an accident that took place in 1996. The grievance of the appellant is that the quantum of compensation awarded by the Tribunal is on the lower side.

Admitted facts of the case are that the deceased was aged 24 years and was unmarried. His monthly income was Rs. 4500/-. The age of the mother of the deceased at the time of the accident

Whether reporters of local Papers may be allowed to see the judgment?

was 46 years and his two brothers, who joined as claimants with his mother were major. The Tribunal, after giving allowance for the expenditure, which the deceased was supposedly incurring upon himself and further for the expenses which he was supposed to have incurred on his own family, because he was supposed to get married within a period of two-three years, had he not died in the accident, has held that the loss of dependency is to the tune of Rs. 1,000/- per month. The Tribunal has awarded total compensation of Rs. 1,88,000/-.

Looking to the facts of the case, I do not find any fault with the multiplier adopted by the Tribunal as also the datum figure worked out by it. The quantum of compensation is thus just and reasonable and calls for no interference by this Court.

The appeal is dismissed.

April 20, 2006.
(Hem)

(Surjit Singh),
Judge.